

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES A. SMITH, JR.,

Plaintiff,

v.

WILLIAM POLLARD, et al.

Defendants.

ORDER

Case No. 16-cv-10-wmc

On January 13, 2016, this court entered an order directing plaintiff to submit by February 5, 2016, an initial partial payment of the filing fee in this case in the amount of \$0.87. Now plaintiff has filed a letter asking the court to waive the \$0.87 initial partial payment.

Plaintiff's request will be denied. A review of plaintiff's inmate account statement shows that he has received several deposits preceding the filing of his complaint. With an enlargement of time, plaintiff may be able to pay his initial partial fee. Plaintiff may have until March 25, 2016 to pay his \$0.87 initial partial payment. If plaintiff has not received any deposits since the end date of his last trust fund statement, he may submit a new certified account statement to show that no deposits have been made to his account.

ORDER

IT IS ORDERED that plaintiff James A. Smith, Jr.'s request to waive the initial partial filing fee, dkt #7, is DENIED without prejudice. Plaintiff may have until March 25, 2016, to submit a check or money order made payable to the clerk of court in the amount of \$0.87. If plaintiff fails to respond to this order, or show cause for failure to do so, plaintiff will be

held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff's filing this case at a later date.

Entered this 2nd day of March, 2016.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge